

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

TIM POTTER

Plaintiff,

V.

**BABCOCK & WILCOX TECHNICAL
SERVICES PANTEX, LLC,**

Defendant.

CIVIL ACTION NO. 2:09-CV-195-J

**AGREED MOTION TO DISMISS
THE CLAIMS OF PLAINTIFF TIM POTTER**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

COME NOW Tim Potter (“Plaintiff”) and Babcock & Wilcox Technical Services Pantex, LLC (“Pantex”) (collectively the “Parties”), by and through their counsel of record, and file this Agreed Motion to Dismiss the Claims of Plaintiff Tim Potter. In support of this motion, the Parties state that all claims of Plaintiff against Defendant should be dismissed with prejudice for the reason that matters of fact and things in controversy between Plaintiff and Defendant have been fully and finally compromised and settled.

WHEREFORE, the parties respectfully request that the Court grant this motion and enter the Parties' Agreed Order of Dismissal for the Claims of Plaintiff Tim Potter.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document and that a true and correct copy was served on the parties listed below through the electronic case filing system if the Notice of Electronic Filing indicated that the parties received it or otherwise by mailing a copy by Certified Mail, Return Receipt Requested, to the parties this 16th day of April, 2010.

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